

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. This communication refers to the following documents cited in the search report; the numbering is also retained in the rest of the proceedings:

D1= EP-A-0 825 506 (FOXBORO CORP) 25 February 1998 (1998-02-25)  
D2= US 2003/014500 A1 (FELTS CHRISTOPHER ET AL) 16 January 2003  
(2003-01-16)

**2. Inventive step in independent method claim 1**

- 2.1 Document D1 is regarded as the closest prior art. In conformity with claim 1, it discloses (the references in brackets relate to D1; the original wording of the claim is reproduced in *italics*; features which distinguish the claim from D1 are identified by underlining)

*A method for interchanging data (column 5, lines 45-51) between a communication unit (Figure 1(26) and (28)) and a data source (Figure 1 (25)),*

- in which a runtime system (column 3, line 32: "system for process control") comprising hardware components (column 3, lines 32-40 and Figure 1) and software components (column 3, lines 54-56 and Figure 1 (25)) transmits data between the part (Figure 1(23a)-(23e)) and a communication unit (column 6, lines 40-47) and*
- a processing sequence controls and/or monitors the interchange of the data (column 9, lines 25-27 and Figure 2: "omopen list" together with column 9, lines 32-34),*

**characterized in that**

- the processing sequence is made up of processing routines (column 9, lines 32-34 and Figure 2: "omopen list") which each have a standard input interface (column 7, lines 30-46), with the processing routines being called in succession (column 9, lines 43-46 and Figure 2: "OMUPDATE") and the data in a called processing routine being supplied to the input interface of a processing routine which is immediately downstream of the latter, and the process data which are obtained from the distributed processing routine (Figure 1 25c)) are forwarded immediately to the downstream processing routine (Figure 1 (25a)) as input data (column 9, lines 46-50).*
- in that the runtime system manages a dynamic memory area (column 5, line 57 - column 6, line 5) and accesses said memory area in order to stipulate the order in which the processing routines are called. In Figure 2, the order of the processing routines "omopen list", "dqchange" and "update" is stipulated. This order of the processing routines is dependent only on what process data are requested by the client system (column 9, lines 43-46).*

- 2.2 The subject matter of Claim 1 therefore differs from the prior art disclosed in D1 in that the input interfaces of all the processing routines are in standard form.

- 2.3 The objective technical problem which is solved by the standard input interfaces for all the processing routines is the interface standardization, which reduces the opportunities for error when developing and calling the processing routines.
- 2.4 When program routines are implemented, the input interfaces can be chosen as desired. The interface standardization from this claim therefore has the same advantages as any standardization, which have already been presented above under item 2.3.  
In addition, the system from document D1 likewise discloses an interface area (Figure 1 (25b)) in which transfer data from proprietary C data structures are translated into standardized JAVA data structures (column 7, lines 34-40).
- 2.5 In line with PCT guidelines, Section 13.14(a)(v), the subject matter of Claim 1 must therefore be regarded as noninventive within the meaning of PCT Article 33(3).

### 3. Inventive step in dependent claims 2-9

Dependent **Claims 2-9** appear to contain no additional features which, in combination with the features of any claim to which the claims refer back, meet the requirements of the PCT in relation to inventive step. The reasons for this are as follows:

- **Claim 2:** The authentication of users prior to access to process data is a widespread standard technique for preventing unauthorized data access. This technique is described in document D2, which likewise describes web-based process control systems (paragraph 14, lines 3-8), for access authentication (paragraph 54, lines 14-22) which forwards the process data only to authenticated users (paragraph 54, lines 17-19).
- **Claim 3:** Each process control unit in D1 (Figure 1 (19a)-19(e)) processes only the requests for its data (column 6, lines 44-47) using data objects (Figure 1 (23a)-(23e)), which correspond to the source data identifiers from this claim. The superordinate data detection routine (Figure 1 (25c)) therefore controls the data access operations using the data objects (column 6, lines 44-47). In addition, the data objects from D1 can be localized (column 6, line 26), which means that process control units can be accessed individually.
- **Claim 4:** The process data in D1 are buffer-stored (column 9, lines 32-35 together with column 9, lines 22-25) and are then displayed on the client systems (column 9, lines 35-42). The display of process data when source-data and buffer-store data identifiers match is an implementation detail without any unforeseeable technical effect.
- **Claim 5:** Document D2 (paragraph 31, lines 1-6) discloses an error analysis routine within the context of the description (page 7, lines 14-22).
- **Claim 6:** The system from D2 stores data (paragraph 46, lines 9-11) and/or monitoring data derived from data (paragraph 40, lines 1-11 and Figures 3 and 4) in a database and is therefore a monitoring routine within the context of the description (page 7, lines 24-31). Storing these data in a file instead of a database cannot be considered to be inventive.
- **Claim 7:** The runtime system from D1 (column 3, lines 32-33) comprises a network server (column 3, lines 37-40 and Figure 1 (16)) with a server program

(column 5, lines 46-47 and Figure 1 (25)) and client computers (column 3, lines 33-34 and Figure 1(12) and (14)) with a browser program (column 2, line 58 - column 3, line 7), with the browser program accessing the server program via the Internet (D1, Claim 3).

- **Claim 8:** The authentication prior to the data access in D2 is dependent not only on the user but also on the position of the terminal within the network (D2, paragraph 54, lines 20-22). D2 therefore describes a tracing routine within the context of the description (page 8, lines 15-28).
- **Claim 9:** Stipulating the structure and order of processing routines is a standard technique for creating any computer program. Document D2 discloses the stipulation of the structure (D2, paragraph 36, lines 1-4 and Figure 3) and the order of processing routines (D2, paragraph 46, lines 5-9 and Figure 5). The use of a configuration file for this purpose is an implementation detail without any unforeseeable technical effect.

**Claims 2-9** are therefore not inventive within the meaning of PCT Article 33(3).

#### Re Item VII

#### 4. Certain defects in the International Application

4.1 Contrary to the requirements of PCT Rule 5.1 a) ii), the description indicates neither the relevant prior art disclosed in documents D1-D2 nor these documents.

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